

109TH CONGRESS
2D SESSION

H. R. 4833

To require that only United States persons may control security operations at seaports in the United States or enter into agreements to conduct such security operations.

IN THE HOUSE OF REPRESENTATIVES

MARCH 1, 2006

Mr. DOOLITTLE introduced the following bill; which was referred to the
Committee on Homeland Security

A BILL

To require that only United States persons may control security operations at seaports in the United States or enter into agreements to conduct such security operations.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Americans Securing
5 American Ports (ASAP) Act”.

1 **SEC. 2. SECURITY OPERATIONS OF U.S. SEAPORTS BY U.S.**
2 **PERSONS.**

3 (a) REQUIREMENTS.—The Secretary of Homeland
4 Security shall require that only United States persons
5 may—

6 (1) control security operations at any seaport in
7 the United States; or

8 (2) enter into any contract or other agreement
9 to conduct such security operations.

10 (b) BACKGROUND CHECKS.—No individual may
11 carry out security operations at any seaport of the United
12 States unless the Secretary of Homeland Security has con-
13 ducted a background check of that individual and ap-
14 proved that individual for such security operations on the
15 basis of the background check.

16 (c) REGULATIONS.—The Secretary of Homeland Se-
17 curity shall promulgate such regulations as may be nec-
18 essary to enforce the requirements of subsections (a) and
19 (b), including requiring any person to furnish, in the form
20 of reports or otherwise, such information as is necessary
21 to enforce such requirements.

22 (d) PENALTIES.—Any person who violates any re-
23 quirement of subsection (a) or (b) or any regulation pro-
24 mulgated under subsection (c) shall be subject to the pen-
25 alties under section 206 of the International Emergency

1 Economic Powers Act (50 U.S. 1705) to the same extent
2 as such penalties apply to violations under that Act.

3 (e) EMPLOYEES.—Nothing in this section prohibits
4 an alien who is lawfully present in the United States from
5 performing security operations in the course of employ-
6 ment by a United States person that controls such security
7 operations.

8 (f) DEFINITION.—In this section:

9 (1) STATE.—The term “State” means any of
10 the several States, the District of Columbia, and any
11 commonwealth, territory, or possession of the United
12 States.

13 (2) UNITED STATES PERSON.—The term
14 “United States person” means—

15 (A) any United States citizen;

16 (B) any person other than an individual, if
17 United States citizens own or control at least
18 51 percent of the securities or other equity in-
19 terest in such person; or

20 (C) any agency or instrumentality of the
21 Federal Government or any State or local gov-
22 ernment.

23 (3) UNITED STATES.—The term “United
24 States” means the several States, the District of Co-

1 lumbia, and any commonwealth, territory, or posses-
2 sion of the United States.

3 **SEC. 3. EFFECTIVE DATE.**

4 This Act shall take effect 90 days after the date of
5 the enactment of this Act.

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